

Date

Terry J. Darbonne
City Marshal
P.O. Box 1516
Eunice, LA 70535

Re: Ethics Board Docket No. 2016-118

Dear Mr. Darbonne:

The Louisiana Board of Ethics, at its April 15, 2016 meeting, considered your request for an advisory opinion as to whether the Eunice City Marshal's Office ("Marshal's Office") may continue to purchase office supplies and equipment from Bertrand's Printing. You stated that the Eunice City Marshal is an elected official who serves as the Executive Officer of the Eunice City Court. The Marshal's Office receives dedicated funding from court costs. This funding is known as the Operational Expense Fund and is used by the Marshal's Office to purchase equipment, supplies, and services. You provided further information that the Marshal's Office also receives funding from the City of Eunice for the cost of fuel, insurance and maintenance of its vehicles. You also stated that for many years, the Marshal's Office has purchased office supplies and equipment from Bertrand's Printing, the only business of its type in the City of Eunice. Finally, you stated that one of the new co-owners of Bertrand's Printing is Jason Bertrand, a current Councilman for the City of Eunice.

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics does not prohibit the Marshal's Office from continuing to purchase office supplies and equipment from Bertrand's Printing, a company co-owned by a Councilman for the City of Eunice. La. R.S. 42:1113A(1)(a) prohibits public servants, their immediate family members, or legal entities in which they have a controlling interest, from entering into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant. The Marshal's Office is considered a separate agency from the City of Eunice. Therefore, the Marshal's Office is not prohibited from purchasing office supplies and equipment from Bertrand's Printing.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Jennifer T. Land
For the Board